

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT MICHIGAN**

**MALIBU MEDIA, LLC,**

**Plaintiff,**

v.

**JOHN DOE subscriber assigned IP address  
98.224.254.205,**

**Defendant.**

Civil Case No. \_\_\_\_\_

**MOTION FOR LEAVE TO SERVE A THIRD PARTY  
SUBPOENA PRIOR TO A RULE 26(f) CONFERENCE**

Pursuant to Fed. R. Civ. P. 26(d)(1), and upon the attached: (1) Memorandum of Law in support of this motion; (2) Declaration of Colette Field in support of this motion; (3) Declaration of Patrick Paige in support of this motion; and (4) Declaration of Tobias Fieser in support of this motion, Malibu Media, LLC (“Plaintiff”), respectfully moves for entry of an order granting it leave to serve a third party subpoena on Comcast Cable, prior to a Rule 26(f) conference (the “Motion”). A proposed order is attached for the Court’s convenience.

Respectfully submitted,

NICOLETTI LAW, PLC

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